

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION

TIMOTHY WAYNE STEPHENS

PLAINTIFF

V.

CIVIL ACTION NO. 3:13CV912 DPJ-FKB

SHERIFF JAMES R. MOORE, SR.  
AND WARDEN JOHNNY CROCKETT

DEFENDANTS

ORDER

This § 1983 action is before the Court on the Report and Recommendation [24] of Magistrate F. Keith Ball. In this suit, Plaintiff Timothy Wayne Stephens challenged the conditions of his confinement as a pretrial detainee.<sup>1</sup> On December 18, 2013, Magistrate Judge Ball held an omnibus hearing, which Stephens failed to attend. As a result, Judge Ball recommends that this action be dismissed without prejudice for failure to prosecute. Stephens has not filed an Objection to the Report and Recommendation [24], and the time to do so has now passed.

Accordingly, the Court finds that the unopposed Report and Recommendation [24] should be adopted as the opinion of this Court. This action is dismissed without prejudice. A separate judgment will be entered.

**SO ORDERED AND ADJUDGED** this the 14<sup>th</sup> day of January, 2014.

*s/ Daniel P. Jordan III*  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup> Stephens is no longer incarcerated.